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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/637,214	08/11/2000	Heinz Baier	DE9-1999-0050US1 (590.018)	7894
7590 10/03/2003 FERENCE & ASSOCIATES 129 Oakhurst Road Pittsburgh, PA 15215			EXAMINER TRAN, DENISE	
			ART UNIT 2186	PAPER NUMBER 8
DATE MAILED: 10/03/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/637,214

Applicant(s)

BAIER, HEINZ

Examiner

Denise Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 August 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6-7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### DETAILED ACTION

1. Claims 1-4 are presented for examination.
2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The disclosure is objected to because of the following informalities: the abstract not exceed 150 words in length .

Appropriate correction is required.

4. Figure 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

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5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 27a, 29a, 27c, and 27. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

6. Claim 2 is objected to because of the following informalities: line 7, "said schema" should be --a schema--. Appropriate correction is required.

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Upton, U.S. Patent No. 6,067,615, in view of Applicant's Admitted Prior Art, fig., 2 and the current specification, pages 1-3, (hereinafter AAPA), and further in view of "Official Notice."

As per claim 1, Upton shows a method for programming field programmable gate array (FPGA) with configuration data according to data developed by a developing a tool on a computer device (e.g., fig. 7; col. 4, lines 36-50), the method comprising by the steps of:

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(a) reading said data from a storage device of said computer device (e.g., col. 4, lines 36-50);

(b) programming said data by aid of a dedicated function implemented in said FPGA into a programmable read only memory (PROM) connected with said FPGA via a multiplexer, herein after referred to as a MUX element (e.g., fig. 7, els. PROM, MUX, PGA; col. 4, lines 5-27 and col. 4, lines 36-64);

(c) switching said MUX element in order to be able to read from said PROM into said FPGA (e.g., fig. 7, els. PROM, MUX, FPGA; col. 4, lines 5-27 and col. 4, lines 36-64); and

(d) triggering the configuration of said FPGA by feeding said data from said PROM to said FPGA (e.g., fig. 7, els. PROM, MUX, PGA; col. 4, lines 5-27 and col. 4, lines 36-64). Upton does not explicitly show a schema and an EEPROM. AAPA shows a schema (e.g., page 2, lines 15-17) and an EEPROM (e.g., col. 3, lines 3-4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of AAPA into the system of Upton because it would allow data to be updated without having to replace a memory physically. Upton does not explicitly shows the use of device driver. "Official Notice" is taken that both the concept and the advantages of providing a device driver are well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a device driver into the system of Upton because it would allow a computer system communicate with a device; thereby increase data availability.

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9. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Upton, U.S. Patent No. 6,067,615, in view of Applicant's Admitted Prior Art, fig., 2 and the current specification, pages 1-3, (hereinafter AAPA).

As per claim 2, a method for using field programmable gate arrays (FPGAs) with configuration data stored in an programmable read only memory (PROM), connected to said FPGA via a multiplexer, herein after referred to as a MUX element (e.g., fig. 7, els. PROM, MUX, PGA; col. 4, lines 5-27 and col. 4, lines 36-64), the method comprising by the steps of:

(a) controlling said MUX element in order to be able to read from said EEPROM into said FPGA (e.g., fig. 7, els. PROM, MUX, PGA; col. 4, lines 5-27 and col. 4, lines 36-64); and

(d) triggering the configuration of said FPGA by feeding said schema from said EEPROM to said FPGA (e.g., fig. 7, els. PROM, MUX, PGA; col. 4, lines 5-27 and col. 4, lines 36-64). Upton does not explicitly show a schema and an EEPROM. AAPA shows a schema (e.g., page 2, lines 15-17) and an EEPROM (e.g., col. 3, lines 3-4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of AAPA into the system of Upton because it would allow data to be updated without having to replace a memory physically.

As per claim 3, a hardware circuit arrangement having a plurality of PROM devices, a FPGA device accessible via a computer bus system and a MUX, connected

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between said devices (e.g., fig. 7, els. PROMs, MUX, PGA; col. 4, lines 5-27 and col. 4, lines 36-64), said circuit arrangement comprising:

a) one of said PROM devices being arranged for comprising control data for proper recognition of said FPGA by said bus system, and a logic usable for programming the other one of said PROM devices with an PROM-FPGA interface (e.g., col. 4, lines 5-27 and col. 4, lines 36-64);

b) said MUX being controllable to select either said PROM devices or said FPGA for reading data from said devices, in order to properly connect said FPGA to said bus system and to initialize a configuration of said FPGA with contents comprised of one of said PROMs (e.g., fig. 7, els. PROMs, MUX, PGA; col. 4, lines 5-27 and col. 4, lines 36-64). Upton does not explicitly show an EEPROM. AAPA shows an EEPROM (e.g., col. 3, lines 3-4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of AAPA into the system of Upton because it would allow data to be updated without having to replace a memory physically.

As per claim 4, Upton does not explicitly show wherein a PC card detected by a PC system bus. AAPA shows wherein a PC card detected by a PC system bus (e.g., page 2, lines 9-14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of AAPA into the system of Upton because it would allow detecting a card when a system starts up.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Denise Tran whose telephone number is (703) 305-9823. The examiner can normally be reached on Monday, Thursday, and an alternate Wednesday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Kim can be reached on (703) 305-3821. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-872-9306 for central Official fax and (703) 746-7240 for Non Official communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

*Neurypam*

D.T.  
September 21, 2003